

CITY OF ENTERPRISE BOARD OF ADJUSTMENT MEETING – September 08, 2021

The Enterprise Zoning Board of Adjustment met on Wednesday, September 08, 2021 at 4:30 p.m. in the Council Chambers of City Hall with the following members:

Present: Jacque Hawkins-Chairperson
 Gwen Gilley
 Anne Bridgette
 Becky Hancock

Supernumerary: Warren Bowron
 Christopher Rogers

Absent: Celeste Davis- Secretary Recorder

Also Present: Courtney Hardy- Administrative Assistant
 Rainer Cotter- City Attorney
 Staci Hayes- Administrative Official

REVIEW OF MINUTES- August 11, 2021

A copy of the minutes from August 11, 2021 meeting was provided to each member of the Board of Adjustment. Being there were no corrections, additions, or deletions the minutes will be filed.

OLD BUSINESS

N/A

NEW BUSINESS

A REQUEST BY SIGN ERECTORS ON THE BEHALF OF WALGREENS CO. FOR A 13' HEIGHT VARIANCE FOR TWO EXISTING PYLON SIGNS LOCATED AT 903 RUCKER BLVD.

Ms. Hawkins introduced a request by Sign Erectors on the behalf of Walgreens Co. for a 13' height variance for two existing pylon signs located at 903 Rucker Blvd.

Mr. Browning, representing Sign Erectors, stated the request is for a variance of 6.5' per sign. Mr. Browning stated the signs are presently 22.5' and the new requirements are now 16'. Mr. Browning stated they are requesting to use the existing signs as is and just put in new faces for the new Family Dollar going into that location.

Ms. Hawkins opened the floor for public comment.

Ms. Hayes stated Mr. Browning is right. It is 6.5' per sign for the total of 13' for both signs.

Ms. Gilley made a motion to approve the request by Sign Erectors on the behalf of Walgreens Co. for a 13' height variance for two existing pylon signs located at 903 Rucker Blvd. Ms. Hancock made the second. All votes being ayes, motion carried.

A REQUEST BY MARK GARVIN FOR A SIDE YARD VARIANCE TO CONSTRUCT A DETACHED GARAGE LOCATED AT 97 HARRAND CREEK DRIVE.

Ms. Hawkins introduced a request by Mark Garvin for a side yard variance to construct a detached garage located at 97 Harrand Creek Drive.

Mr. Garvin stated his home does not currently have a garage. He stated that his vehicles were damaged by the last bad storm and he would like to construct a detached garage on his existing drive way for protecting. He stated he has already had the engineers out and the concrete has been poured. He stated he did not realize that it could not be detached when he applied for the permit.

Ms. Hancock addressed a question to Ms. Hayes as to Mr. Garvin's request meeting the setbacks.

Ms. Hayes stated in the zoning ordinance accessory structures are not allowed in the side yard.

Mr. Garvin stated he did not know that it had to be attached to the building in order for it not to be an accessory structure.

Ms. Hawkins opened the floor for public comment.

Ms. Gilley made a motion to approve the request by Mark Garvin for a side yard variance to construct a detached garage located at 97 Harrand Creek Drive. Ms. Bridgette made the second. All votes being ayes, motion carried.

A REQUEST BY DEXTER GILLEY ON BEHALF OF GWEN GILLEY CONSTRUCTION FOR A 20' FRONT YARD VARIANCE TO CONSTRUCT NEW DWELLINGS LOCATED ON LOTS 21-28, BLOCK A, THE LANDING PHASE II.

Ms. Hawkins introduced a request by Dexter Gilley on behalf of Gwen Gilley Construction for a 20' front yard variance to construct new dwellings located on lots 21-28, Block A, The Landing Phase II.

Mr. Gilley asked Ms. Hayes was it 20' or 15' front yard variance.

Ms. Hayes replied 20'

Mr. Gilley stated the land and lots are laid out to where the houses need to be closer to the road. He stated it would be out of the right away, able to park a car, and keep side entry garages so it would not mess up the functionality but it would allow the lots to be usable.

Mr. Bowron asked if there will be sidewalks and if so would it be on the side that the new dwellings will be on.

Mr. Gilley stated there would be a sidewalk. He stated there will be a timber wall that the sidewalks will come up to. When they grade the yards the area that will get sidewalks will basically be zero grade because of that wall. Then they will put the driveways were needed.

Mr. Hawkins stated to Mr. Bowron will need to vote in order for there to be 4 votes.

Ms. Hawkins opened the floor for public comment.

Ms. Hancock made a motion to approve the request by Dexter Gilley on behalf of Gwen Gilley Construction for a 20' front yard variance to construct new dwellings located on lots 21-28, Block A, The Landing Phase II. Mr. Bowron made the second. All votes being ayes, motion carried.

A REQUEST BY ANDREW KELLEY FOR AN AFTER THE FACT 1' SIDE YARD VARIANCE FOR A STORAGE BUILDING LOCATED AT 101 BISCAYNE DRIVE.

Ms. Hawkins introduced a request by Andrew Kelley for an after the fact 1' side yard variance for a storage building located at 101 Biscayne Drive.

Mr. Kelley stated he lost a home last year. They built a new home without a garage. His wife is now asking for a place to store their belongings. He stated he did not know he would have to have a variance to build the garage since he was doing it himself.

Ms. Hancock asked if he was building the garage completely by himself.

Mr. Kelley stated the concrete was poured before and he is building the structure onto the concrete. He stated the structure is a garage kit.

Mr. Bowron asked if he had already started the building process.

Mr. Kelley stated he had already started but he stopped when he received the stop work order.

Ms. Hancock stated her reason for asking is because they have had issues with companies in the past not pulling permits.

Mr. Andrews stated the code enforcement officer had told him that as well.

Ms. Gilley asked if there was a reason that Mr. Kelley isn't building the garage on the backside of the house.

Mr. Kelley stated the grade is slopped. He stated there is a pool in the backyard that is now filled in and he did not want it to sink in for any reason.

Ms. Hawkins opened the floor for public comment.

Ms. Bridgette made a motion to approve the request by Andrew Kelley for an after the fact 1' side yard variance for a storage building located at 101 Biscayne Drive. Ms. Hancock made the second. All votes being ayes, motion carried.

A REQUEST BY WILLIAM RAMOS FOR A 7' FRONT YARD VARIANCE TO CONSTRUCT A FENCE LOCATED AT 506 WHISPERING PINES STREET.

Ms. Hawkins introduced a request by William Ramos for a 7' front yard variance to construct a fence located at 506 Whispering Pines Street.

Mr. Ramos stated they are trying to build a fence in the front yard to help keep dogs out. He stated they would like to place the fence 3' from the curve so they would not damage the fruit trees or the roots while installing the fence.

Ms. Hancock asked Ms. Hayes what Mr. Ramos could have done to avoid coming to the board.

Ms. Hayes stated typically the property line starts 10' back from the back of curb because there is a 10' utility easement. Ms. Hayes stated Mr. Ramos is well aware that if he goes near that 10' easement that he will be responsible for the 811 dig to make sure he is not hitting any utilities. Ms. Hayes stated if at any time the utility companies can request that he take down the fence for maintenance. If he does not take down the fence the utility company has the right to take it down and it will be at Mr. Ramos expense.

Mr. Ramos stated he will definitely be making the 811 call.

Ms. Hancock stated while driving through the neighborhood she noticed no one else had a fence in the front yard. She stated that she has not checked the guidelines to see if it was prohibited.

Ms. Hayes asked Mr. Ramos if it was a chain length fence.

Mr. Ramos stated he would be using cattleguards so that you can see the yard and the dogs would not be able to get through the fence.

Ms. Hayes stated Mr. Ramos also knows the fence cannot exceed 4'.

Ms. Bridgette stated the stipulations be in the approval better given to Mr. Ramos.

Ms. Hayes stated if the council members would like it in the approval letter, it would be.

Ms. Bridgette made a motion to approve the request by William Ramos for a 7' front yard variance to construct a fence located at 506 Whispering Pines Street with the stipulations be in the approval letter. Ms. Hancock made the second. All votes being ayes, motion carried.

A REQUEST BY MICHAEL VINSON FOR A 15' SIDE YARD VARIANCE TO CONSTRUCT A DETACHED GARAGE LOCATED AT 213 WEST SANDCREEK ROAD.

Ms. Hawkins introduced a request by Michael Vinson for a 15' side yard variance to construct a detached garage located at 213 West Sandcreek Road.

Request by Michael Vinson is tabled until the October meeting.

A REQUEST BY JIMMY GRAY FOR A SIDE YARD VARIANCE TO CONSTRUCT AN ATTACHED CARPORT LOCATED AT 904 WEST ADAMS STREET.

Ms. Hawkins introduced a request by Jimmy Gray for a side yard variance to construct an attached carport located at 904 West Adams Street.

Mr. Gray stated he would like to build a carport onto the corner of his home. He stated the carport will be 12' wide and 24' long. Mr. Gray stated that the inspector told him it would have to be 5' from the chain length fence to the yard. He stated it would not work due to his truck being big.

Ms. Hawkins opened the floor for public comment.

Ms. Hancock made a motion to approve the request by Jimmy Gray for a side yard variance to construct a attached carport located at 904 West Adams Street. Ms. Gilley made the second. All votes being ayes, motion carried.

A REQUEST BY KEVIN AXTON FOR SPECIAL EXCEPTION TO PLACE AN RV TEMPORARILY FOR THE CONSTRUCTION OF A NEW DWELLING LOCATED AT 2900 PORTER LUNSFORD ROAD.

Ms. Hawkins introduces a request by Kevin Axton for special exception to place an RV temporarily for the construction of a new dwelling located at 2900 Porter Lunsford Road.

Ms. Axton stated she is there on behalf of her husband Kevin Axton. She stated they sold their house and bought land to build another house. She stated they have not had any luck finding a rental property to stay at while their new house is being built. She stated they would like to move a camper onto their property until their new home is built.

Ms. Hawkins opened the floor for public comment.

Ms. Hayes stated it will not be seen from the side of the road. She stated with the market the way it is right now it is nearly impossible to find a 6 months rental.

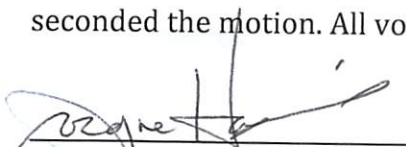
Ms. Gilley asked if the property is in a subdivision or on its own.

Ms. Hayes stated that it is 11 acres on its own.


Ms. Gilley made a motion to approve the request by Kevin Axton for special exception to place an RV temporarily for the construction of a new dwelling located at 2900 Porter Lunsford Road with a maximum of 7 months. Ms. Hancock made the second. All votes being ayes, motion carried

ADJOURNMENT

There being no further business before the Board, Ms. Gilley made a motion to adjourn. Ms. Hancock seconded the motion. All votes being ayes, motion carried.



Jacquie Hawkins
Chairperson



Staci Hayes
Administrative Official